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Suit alleges police chief used force

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Written by
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Six current and three former Lafayette Police Department officers have now filed a federal lawsuit against top officials in the department and in the local government after a lower court rejected the plaintiffs' claims that a "culture of corruption" has led to physical threats and racial discrimination.

"We have complete confidence that in federal court we are completely beyond the realm of local politics, and we have confidence in our federal system that this case will be judged on the facts and the law and on nothing else," Chris Alexander, one of two attorneys representing the plaintiffs, said during a meeting with reporters Tuesday afternoon.

"These gentlemen have very compelling claims, and when you have a system in which you have institutional retribution and

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retaliation against officers simply because they have the courage to come forward and do the right thing, that's a frightening scenario," he said.

Stephen Spring, the other plaintiff attorney, said the new federal court filing has more credible evidence showing the inner workings of LPD. Among the claims in the federal lawsuit is an allegation that LPD Chief Jim Craft choked a one-legged, homeless man for 30 seconds while the man was handcuffed during the 2010 Festival International de Louisiane.

That claim, however, is not supported in the lawsuit with sworn statements, although four LPD officers allegedly witnessed the altercation.

"We'll be taking their depositions before this is over," Spring said.
"These are not rumors. Everything we have has been vetted."

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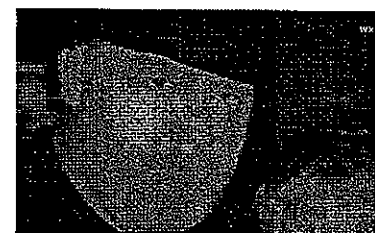
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According to the court filing, Craft allegedly went to LPD's mobile command unit where police held the disabled man, who then began cursing at Craft.

"Craft, upon hearing these insults, jumped upon the disabled man and began to choke him, all while telling the individual he wasn't going to talk to Craft like that because he was the chief of police," Spring and Alexander allege in the lawsuit. The lawsuit says Craft's wife pulled him from alleged victim. An officer who allegedly witnessed the incident then asked Craft if he was going to file a "use of force" report for the incident, and, the officer said, Craft "laughed while riding away from the scene."

When asked to respond to the allegations late Tuesday, Craft said he could not comment on the pending litigation. City-Parish Attorney Mike Hebert also declined to comment on the federal lawsuit.

Spring and Alexander say the incident shows how the department used cover ups, as the altercation was not accurately depicted in a police report, and as an example of favoritism within the department because the officer who questioned Craft was later demoted and officers who helped hide the misdeed were given preferential treatment.

Spring and Alexander also claim LPD violated an array of state and federal laws by having "daily quotas for traffic infractions and at least one OWI per day, as well as systemic and ongoing illegal wiretapping inside the police department by the Internal Affairs Section and payroll fraud."

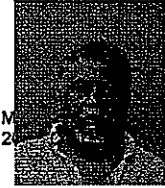
Winning the court battle, however, may be an uphill battle for the plaintiffs as a 15th Judicial District Court judge quickly dismissed the allegations during a hearing last week.

Judge Kristian Earles overturned temporary restraining orders against the defendants after their attorneys argued the "smoking gun" of secret audio recordings of police officials making alleged threats weren't strong evidence of any real danger.

The case began when LPD officials launched an internal investigation to determine which employee may have leaked an Internal Affairs document.

The nine officers who filed the lawsuit argue the investigation into the leak unfairly targeted the plaintiffs and violated portions of the Policeman's Bill of Rights. Those officers accused the department of using such investigations as a way to punish officers who bucked the alleged culture of corruption within LPD.

In the lawsuit, Spring compares his clients to Frank Serpico — the NYPD officer who testified against police corruption and is portrayed by Al Pacino in a 1971 film. The reality of taking such a stand, Spring said, has left the officers with "genuine fears" of being physically assaulted, battered or even shot, in addition to facing "unlawful" » disciplinary proceedings."



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